

**CITY OF BALTIMORE
COUNCIL BILL 05-0064R
(Resolution)**

Introduced by: Councilmember Young, President Dixon, Councilmembers Harris, Holton,
Reisinger, Conaway, Branch, Mitchell, Kraft, Clarke, Welch, Curran, Rawlings Blake
Introduced and read first time: June 6, 2005
Assigned to: Economic Development and Public Financing Subcommittee
Committee Report: Favorable
Adopted: August 15, 2005

A COUNCIL RESOLUTION CONCERNING

1 Environmental Consent Decree – Minority Business and Worker Participation

2 FOR the purpose of requesting the Director of the Mayor’s Office of Minority Business
3 Development to report to the City Council on the percentage of minority business
4 participation in contracts awarded to meet the requirements of the Environmental Consent
5 Decree and the percentage of City residents employed by all businesses awarded contracts to
6 perform any services associated with the Decree; and to ensure that residents and businesses
7 in our City who wish to participate directly benefit from performing services that correct
8 conditions that for years negatively impacted the public and environmental health of
9 themselves, their families, and their neighborhoods.

10 **Recitals**

11 On September 30, 2002, the City of Baltimore, Department of Public Works Bureau of Water
12 and Waste Water joined a growing list of municipalities facing Environmental Consent Decrees
13 to address sanitary and combined sewer overflows that resulted from an aged and obsolete
14 wastewater collection system. The purpose of the Decree is to maintain public and
15 environmental health by upgrading the system and will ultimately protect Baltimore’s harbor and
16 streams, the Chesapeake Bay, and the overall well being of the citizens of Baltimore.

17 The primary focus of the Environmental Consent Decree is the elimination of sanitary sewer
18 overflows and combined sewer overflows, including the elimination of 50 overflow structures
19 that currently discharge to storm drains of streams. The work, expected to be complete by 2016,
20 will provide business opportunities related to the Decree in the areas of elimination of sewer and
21 combined sewer overflows, sewershed planning and evaluation, sewershed rehabilitation, and
22 upgrades in the operation and maintenance program.

23 Elimination of the sanitary sewer overflows (SSOs) will be accomplished by the completion
24 of 26 Capital Improvement projects that will be under construction from 2003-2007, with \$150
25 million in fees; the sewershed studies and evaluations will take place from 2006-2010, with \$100
26 million in fees; the sewershed rehabilitation will take place from 2008-2016, with estimated fees

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter stricken by amendment.

1 and construction costs between \$460 to \$650 million; and upgrades in the Operation and
2 Maintenance Program will occur over the life of the Consent Decree, with an ongoing need for
3 workers to clean, repair, de-root, and de-grease the entire system.

4 The work associated with the Consent Decree requires participation of all sizes of businesses
5 and all levels of skilled workers. There is a need for engineering consulting and design firms,
6 sewer cleaning and repair firms, sewer overflow and rainfall monitoring firms, and sewer
7 construction firms, and workers will be needed to aide City workers in cleaning, repairing,
8 bypass pumping, root removal, and grease control.

9 While the majority of the cost of repairing Baltimore’s sewage system will be borne by its
10 residents, there also exists the potential for Baltimoreans to benefit from industrial,
11 technological, and economic opportunities created by the City’s efforts to comply with the terms
12 of the consent decree. To the extent possible, local government must ensure that any financial
13 benefit to be made from this endeavor remain with the citizens who, for the most part, are paying
14 the bill. To that end the City Council requests that the Mayor’s Office of Minority Business
15 Development ensure that:

- 16 1. economic development is enhanced through the utilization of local businesses, minority
17 and women-owned businesses, and programs designed to find employment for low-wage,
18 low-skilled workers;
- 19 2. solicitations for work include criteria that enhances the opportunity for participation by
20 minority, women, and local contractors and subcontractors;
- 21 3. educational programs are developed to provide businesses and local work programs with
22 the information, skills, and supports to fully participate;
- 23 4. the community is informed of any current and anticipated disruptions to their quality of
24 life related to traffic patterns, construction debris and noise, parking availability, and
25 other temporary inconveniences;
- 26 5. information is routinely disseminated regarding the increase in water and sewer rates, the
27 purposes for which the money is spent, and the benefits to be expected from the
28 improvements;
- 29 6. activities are planned, monitored and reported in writing quarterly to the Board of
30 Estimates to ensure that consent decree activities remain on schedule;
- 31 7. relief efforts be developed to ensure low and fixed income residents are not unduly
32 burdened by higher sewer rates and related costs, and;
- 33 8. alternatives are explored to address business that are adversely affected.

34 Residents of the City have suffered for years through winters of interrupted water and sewer
35 service and hazardous traffic conditions caused by frozen and broken pipes, emergency
36 evacuations from 6-foot flood waters caused by water main breaks, property damaged and health
37 threatened by smelly and noxious sewage spills, and tunnel fires that caused them to fear for the
38 safety of their families. If anyone should profit from the work that Baltimore has been ordered
39 to perform, it should be the very people who suffered from the neglect that led to the Consent
40 Decree.

1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
2 Director of the Mayor’s Office of Minority Business Development is requested to report to the
3 City Council on the percentage of minority business participation in contracts awarded to meet
4 the requirements of the Environmental Consent Decree and the percentage of City residents
5 employed by all businesses awarded contracts to perform any services associated with the
6 Decree; and to ensure that, for the duration of the Consent Decree, residents and businesses in
7 our City who wish to participate directly benefit from performing services that correct conditions
8 that for years negatively impacted the public and environmental health of themselves, their
9 families, and their neighborhoods.

10 **AND BE IT FURTHER RESOLVED,** That Director of Public Works is requested to participate in
11 the hearing concerning the Environmental Consent Decree and to share with the City Council
12 knowledge of minority participation in associated contract awards.

13 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
14 Director of the Mayor’s Office of Minority Business Development, the Director of Public
15 Works, and the Mayor’s Legislative Liaison to the City Council.